

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MAUREEN LEBEAU,	:	
<i>Plaintiff,</i>	:	CIVIL ACTION
	:	
v.	:	
	:	
MICHAEL W. RAITH et al.,	:	No. 17-38
<i>Defendants.</i>	:	

ORDER

AND NOW, this 23rd day of May, 2017, upon consideration of the Motion to Dismiss filed by Community Education Centers, Inc. (“CEC”), George W. Hill Correctional Facility (“GWHCF”), James Mattera, and Ms. Cummings (the “Prison Defendants”) (Doc. No. 12), the Motion to Dismiss filed by Delaware County Adult Probation and Parole (“DCAPP”), Leanne Montgomery, Michael Raith, Danielle Hibberd, and Christine Katch (the “Probation Defendants”) (Doc. No. 13), Plaintiff’s Responses in Opposition (Doc. Nos. 18-19), and after oral argument held on May 5, 2017, it is **hereby ORDERED** that the Prison Defendants’ Motion (Doc. No. 12) is **GRANTED** and the Probation Defendants’ Motion (Doc. No. 13) is **GRANTED IN PART AND DENIED IN PART**.

1. The Defendants’ Motions (Doc. Nos. 12-13) are **GRANTED** such that:
 - a. All claims asserted against DCAPP and GWHCF are **DISMISSED WITH PREJUDICE**.
 - b. All official capacity claims asserted against Defendants Mattera, Cummings, Montgomery, Raith, Hibberd, and Katch are **DISMISSED WITH PREJUDICE**.
 - c. All individual capacity claims asserted against Defendants Mattera, Cummings, Raith, Hibberd, and Katch are **DISMISSED WITHOUT PREJUDICE**.

- d. The *Monell* claim asserted against CEC is **DISMISSED WITHOUT PREJUDICE**.
 - e. The claims asserted against Ms. Montgomery in Counts I and V of the Complaint are **DISMISSED WITHOUT PREJUDICE**.
- 2. The Probation Defendants' Motion (Doc. No. 13) is **DENIED** with respect to all claims asserted against Ms. Montgomery in her individual capacity in Counts II, III, and IV of the Complaint.
 - 3. Plaintiff may file an amended complaint within twenty-one (21) days of this Order's entry on the public docket.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
United States District Judge